IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

THURSDAY, THE 29TH MARCH 2007 / 8TH CHAITHRA 1929

WP(C).No. 7013 of 2007(I)

PETITIONER:

E.A.RASHEED,
MANAGING PARTNER, STANDARD CLAY MINES,
SASTHAVATTOM P.O., THIRUVANANTHAPURAM.

BY ADV. DR.K.P.SATHEESAN
SRI.K.K.GOPINATHAN NAIR

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY
THE SECRETARY, REVENUE (U) DEPARTMENT,
GOVERNMENT SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DISTRICT COLLECTOR,
THIRUVANANTHAPURAM.

BY ADV. SRI.MANJERI SUNDERRAJ
SRI.B.K.RAJAGOPAL
BY GOVERNMENT PLEADER SRI. I.V. PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 29/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B.RADHAKRISHNAN, J.

W.P(C).No.10554 OF 2007

Dated this the 29th day of March, 2007

JUDGMENT

Heard.

Having regard to the totality of the facts and circumstances and having heard learned counsel for the petitioner and learned standing counsel for the first respondent, this writ petition is disposed of directing that the statutory appeal filed by the petitioner shall be taken up, considered and disposed of in accordance with law after affording an opportunity of being heard to the petitioner. Let that be done within an outer limit of six months from the date of receipt of a copy of this judgment. Pending final disposal of that appeal, distress action on account of the order impugned in that appeal shall stand suspended on condition that the petitioner deposits 35% of the amount covered by that demand within a period of one month from the date of receipt of a copy of this judgment.

THOTTATHIL B.RADHAKRISHNAN
Judge

kkb.